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LETTER DATED 26 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit the enclosed fifth submission of the Government of the United States of America, dated 18 January 1993, as requested by paragraph 5 of Security Council resolution 771 (1992) and paragraph 1 of Security Council resolution 780 (1992).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Edward J. PERKINS

Annex I

Supplemental United States submission of information to the United Nations Security Council in accordance with paragraph 5 of resolution 771 (1992) and paragraph 1 of resolution 780 (1992)

This is the fifth submission by the United States Government of information pursuant to paragraph 5 of Security Council resolution 771 (1992) relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions, 1/ being committed in the territory of the former Yugoslavia. As in our previous reports, we have focused on grave breaches of the Geneva Conventions and, in accordance with resolution 771 (1992), have provided information that is "substantiated", that is, which rests upon eyewitness testimony directly available to us or that includes detail sufficient for corroboration. For the moment, we have also tried not to duplicate information provided to us from other countries and non-governmental sources, which we understand will submit reports pursuant to resolutions 771 (1992) and 780 (1992). The information provided is intended to be useful to the Commission of Experts established pursuant to Security Council resolution 780 (1992). The United States has further information substantiating the incidents included in the present report, which we will make available directly to the Commission of Experts on a confidential basis.

In accordance with paragraph 1 of resolution 780 (1992), the United States intends to continue providing reports as additional relevant information comes into its possession.

We wish to note that, in addition to the categories of violations of humanitarian law and grave breaches of the Geneva Conventions cited in our previous reports, we have added a new category, "Impeding delivery of food and medical supplies to the civilian population".

As in our previous reports, the notations at the end of each of the items indicate the source from which the information was drawn. Unless otherwise indicated, the reports refer to incidents occurring in 1992.

Annex II

Former Yugoslavia: Grave breaches of the Fourth Geneva Convention

FIFTH SUBMISSION

Wilful killing

8 January 1993	A Bosnian Serb army soldier killed Bosnian Deputy Prime Minister Hakija Turajlic on 8 January. Mr. Turajlic was sitting inside a United Nations vehicle at a United Nations command post near Sarajevo's airport. French General Morillon, a United Nations Commander in Bosnia, blamed the commander of the Bosnian Serbs' Lukavica corps for the assassination. (The Washington Post)
January	Armed Serbian groups are killing and wounding people of all ages every day, destroying abandoned Muslim and Croat buildings and looting homes and stores in Banja Luka and in the surrounding countryside, according to witnesses. (Department of State)
14 December 1992	Bosnian Muslim forces from Srebrenica killed at least 60 Serbs, mostly civilians, in villages near the Bosnian town of Bratunac, according to a resident of the town. As a result of the hostilities, up to 5,000 people, primarily women, children, elderly and wounded, have fled across the Drina River into Ljubovija from the Bosnian villages of Bjelovac, Sikiric, Voljevica, Jugovici and Loznicka Rijeka. (Department of State)
September	A 44-year-old Muslim witnessed Serbian soldiers beating four men in early September outside a detention facility in Batkovic. Two were able to enter the facility; another two young men did not have the strength to flee the beating. Four or five soldiers continued attacking those two until one of them, about 20 years old, died. The second bled from the ears and was so badly injured that he could not recognize his own father, a fellow prisoner. Fifteen men were killed during his stay at Batkovic camp. The witness was able to identify the most brutal of the guards at Batkovic. (Department of State)
September	A 44-year-old Serbian civilian, who had been detained in Celebici since 30 May, witnessed the beating deaths of 15 or 16 Serbs by a Muslim guard and the deputy camp director, Asem Delic - a "green beret" (member of the Bosnian Muslim paramilitary forces in Konjic). (Department of State)

24 July

A 39-year-old Bosnian Muslim from Prijedor, who was held in Keraterm camp from 31 May until 5 August, witnessed the 24-25 July massacre at Keraterm camp. Although we have reported the massacre in previous reports, this witness provided some additional details about the events on the evening of 24 July.

The witness was in the room next door, where he could see much of what took place because the large factory doors separating the rooms had slats with openings between them. He said that soon after the disturbances in the room next door had begun, he saw two trucks full of soldiers drive into the camp.

Floodlights were turned on, and three additional machine-guns were brought from the trucks and placed next to the two that had already been in the camp. All five machine-guns were used to fire into the room. At around six the next morning, the witness was among the prisoners chosen to load bodies into the trucks. He said they stacked more than 100 bodies in the trucks, piling them in three layers. (Department of State)

26 June

A 19-year-old Serbian civilian from Visoko witnessed the beating death of Milivoje Samardzic when Muslims arrested him and brought him to Visoko camp. He identified those responsible for the death. (Department of State)

20 June

A 27-year-old Serbian civilian from Okolisce, a village near Visoko, witnessed the killing of six unarmed Serb civilians by a Bosnian Territorial Defence soldier on 20 June in Okolisce. He witnessed these shootings from his neighbour's house, and stated that among the victims were the wife and son of a Serb neighbour. During this attack, a Muslim neighbour saved the life of the witness.

Later on 20 June, this man witnessed the beating death of Bosko Rakovic at Visoko camp by a Muslim guard whom he identified. (Department of State)

13 June

A 24-year-old Serbian civilian from Visoko was arrested with his father and two brothers by Bosnian Muslim Territorial Defence Forces on 13 June. He witnessed the beating to death of Slobodan Gogic on that day. Pointing to a wound on his elbow as evidence of his own torture, the witness identified those who had beaten him, Gogic and other prisoners. (Department of State)

Torture of prisoners

May-October 1992 — A 33-year-old Muslim doctor from Prijedor, who had been interned in Trnopolje camp from 25 May until his release to the Karlovac transit centre for ex-detainees on 1 October, described the operation of a medical clinic in Trnopolje camp - the only reported clinic in any of the camps in the Prijedor area.

Trnopolje is a small village within the municipality of Kozarac, about 6 kilometres away. It lies on the railroad track between Prijedor and Omarska. Most maps identify it as "Kozarac Station". Trains came often through Trnopolje traveling to Banja Luka. Women, children, boys under 16, men over 65 and the very sick were loaded on through trains; able-bodied men remained in Trnopolje.

The witness said that Serbian soldiers wandered through Trnopolje camp nightly, brutally beating the male prisoners and randomly raping female prisoners. They did this with the knowledge and permission of camp guards stationed at several locations in Trnopolje.

The witness examined some of the raped women but was not allowed to indicate on any documents that they had been raped. The doctors kept a log of patients for a few weeks, until they were stopped by the Serbs. The doctors were not allowed to indicate in the log that patients had been beaten or raped, but the witness and others used a code to indicate who had been raped and beaten. The witness smuggled these logs out of the camp and turned them over to the Muslim Club of Kozarac in Zagreb.

Several times the employees of the clinic came under suspicion and their lives were threatened. One of the female aides was a Serb, and she was repeatedly interrogated and told to stop working at the clinic, but she stayed. The witness believes the presence of this Serb saved the lives of the other staff many times. (Department of State)

May-October — Serbian paramilitary police picked up a 44-year-old Muslim on 14 May and drove him to a kindergarten on the western side of Zvornik. There one member of the paramilitary beat him with a stick for one hour, while another aimed his pistol at him, and a third went through documents. The witness said the three were Serbs from Serbia, not Bosnia. They wore white belts and camouflage fatigues.

The witness and another captive were driven about five minutes to a former textile plant called "Alhos". The facility was occupied by many Serb soldiers, but he and the other Muslim appeared to be the only prisoners at that time.

They were kept for several days in a small room, which was stained with what they assumed was the blood of earlier prisoners. They were generally left alone until 16 May, when from 8 p.m. until 4 a.m. the following morning, they underwent the most severe and intensive beating during four months of captivity. Three Serbs carried out the beatings, two of whom he recognised from the area around Svornik.

The two men were forced to stand against the wall and sing Serbian nationalist songs. Unfamiliar with the lyrics, the two Muslims were beaten by the soldiers with fists, boots and rifles. On the verge of unconsciousness, the witness was forced to clean his own blood from the floor and walls around him. Upon completion of this "task", the beating was resumed. During the course of the beatings, both of his cheek bones were smashed and the entire bone structure enclosing his upper teeth was loosened so much that his teeth protruded from his mouth. His release from the Alhos textile plant on 20 May was arranged by a sympathetic Serb soldier.

His next place of detention was the Zvornik court house, where guards did not molest the prisoners, but every day several Serb soldiers from outside the facility were allowed in to beat a few of the prisoners at random. According to the routine, the prisoners had to stand when these uniformed outsiders entered the room. Victims were selected quickly, then punched and kicked, frequently in the kidneys, sometimes until they lost consciousness.

On 4 June, the prisoners at the court house were moved to a neighbouring house and joined by another 120 Muslim detainees from a detention facility at the Celopek cultural centre. Here too, the daily beatings continued. During the approximately six weeks at that house, men from the Seselj unit carved crosses into the foreheads of 10 Muslim men. Another group of Bosnian Serb "police" also specialised in tightening wires around victims' necks.

On 15 July, most of the prisoners were bused to a detention facility in Batkovic. As soon as they arrived, the witness and others were beaten with sticks. The beatings were a regular part of life at the Batkovic facility. The witness was released from Serb detention on 1 October as part of a prisoner exchange. (Department of State)

August

A 40-year-old woman described how followers of Serbian leader Milan Martic selected women from her city and put hundreds of them in a school in Doboj.

> "In front of a few hundred prisoners they raped and tortured women and girls for days. It was unbearable to watch girls being raped in front of their fathers.
>
> "I was raped and tortured too, because they knew that I am a wife of a leader of the Muslim party. In August, some prisoners were exchanged, including me and my sons. Many women and girls who were pregnant remained in the camp. They were transferred to a hospital and fed twice a day because, as the Chetniks said, they had to bear their offspring." (The New York Times)

May-August

A 39-year-old Bosnian Muslim from Prijedor was held in Keraterm camp from 31 May until 5 August. Upon his arrival at Keraterm, one guard - whom he identified - used a knife to saw off the witness' left index finger at the first knuckle and chopped off the tip of his left ring finger.

During his detention, the witness saw four guards cut another prisoner across the face and torso with a knife. One of the guards cut off the bottom half of the man's left ear. After the beating, they left him in the room without any medical care. The man survived his injuries, but after a few days his wounds became infected, and the witness said he could see maggots moving around inside the open wounds. The witness believes the man remains in Prijedor.

The witness described another form of cruelty he witnessed at Keraterm. The Serbian guards gathered two-litre glass bottles from a nearby bottling plant. A bottle would be placed on the ground and a prisoner, trousers and underwear pulled down, would be forced to sit upon it. The guards would then push down on the prisoner's shoulders until the man's buttocks touched the ground, forcing the bottle all the way up the man's anus. Of the guards he said:

> "Whatever they imagined, they tried; if they liked the effect, they would do it to other prisoners." (Department of State)

May-August

A 36-year-old Serbian medical doctor was arrested on 5 May by Paraga's Black Shirts in Capljina. She was taken to Dretelj, a fuel storage garrison transformed into a detention facility for 64 female and 100 male detainees, where she witnessed torture and could identify some of the perpetrators.

"All men were mercilessly beaten at arrival and during all interrogations. They were hit with hands, feet, night sticks, two-by-fours and rifle butts. They were slashed with knives and degraded in every conceivable manner.

"(An) owner of several catering establishments, heavily overweight, was supposed to be transferred to another prison but was not because he literally could not be moved: he was so badly beaten.

"(Another) received about 50 blows to his head, which was badly gashed. Female fighters assisted in the beating by kicking him.

"During interrogation ... prisoners would be slapped, the tips of their fingers would be cut off, their fingers would be crushed.

"Needles were driven under my nails, I was cut with a 'kama' over the face and breasts. The treatment of women was in no way less inhuman than that of men. On the contrary, several women were raped, even some very old ones." (Archmandrite Simeon Biberdzic, Monastery of Ostrog)

18 June

A 42-year-old Muslim from Kevljani was interned at Omarska camp from 27 May until 28 August. On 18 or 19 June, he was called out of building No. 11 and taken to building No. 10, to a room with four soldiers.

The soldiers made the witness undress to his underwear, and lie down on his stomach on the tile floor. One guard took at iron chair, put it on his back and sat down. Another guard took a large calibre automatic rifle and beat him on his spine with the butt of the rifle, pounding each vertebrae twice. A third guard continually kicked him along his legs and groin. The other guard pounded his rib cage continuously, which resulted in the witness sustaining four broken ribs.

The witness lost consciousness but, when he awoke, the four guards were standing around him and began to beat him again, on his legs, shoulders and head. One guard took a police baton, straddled the witness' back, and beat his back and ribs continuously. He felt the pain of only the first 10 blows, then felt no more. Another guard pulled out a knife and said he would "circumcise" him. The guard then cut his knee cap, but the witness said he did not even feel the knife as he watched blood pour out of his leg. (Department of State)

June — A 22-year-old Serbian civilian from Drivusa was shot three times in his left arm when Bosnian Government Forces captured Serb positions in Zenica in June. He was beaten in Zenica camp for the first 10 days of his capture and still bore a scar on his leg where he had been cut "just for being a Serb". He witnessed the case of one elderly man who had stepped on a mine but received no medical treatment, and who was removed from the camp immediately before a visit by United Nations Human Rights Commission Special Rapporteur Tadeusz Mazowiecki. This inmate was returned after Mazowiecki's departure and died a few days later. Food and tea often were contaminated with soap. (Department of State)

Abuse of civilians in detention centres

1992 — A representative of the Zenica Centre for the Investigation of War Crimes claimed the centre had interviewed witnesses of rape and violence who described the rape of 30,000 women in Bosnia and Herzegovina. (Department of State)

August — A 12-year-old girl from Jelec was raped by several Serbian soldiers over nine nights at the Partizan Hall detention centre in Foca. On one occasion, a Serbian soldier raped the girl and her mother.

A 20-year-old woman, who had been raped by a Serb policeman, said that some 100 "young Muslim women and girls were raped" in Miljevina, an eastern Bosnian town described as a possible "rape camp". (Newsweek)

27 July — A 29-year-old Serbian civilian from Srebrenik was taken to Zenica camp on 27 July by Bosnian Government Forces. He was beaten continuously, every 10 minutes for 96 hours after his arrival, with ropes and sticks. He showed evidence of beatings, particularly on his head. He also reported deliberate contamination of food. (Department of State)

Impeding delivery of food and medical supplies to the civilian population

10 January 1993 — Bosnian Serb forces fired on United Kingdom troops escorting a United Nations aid convoy on 10 January near the town of Kladanj. (Reuters)

6 January — Bosnian Serb forces stopped United Nations attempts to repair the power grid in Sarajevo on 6 January, and prevented a load of firewood from entering Sarajevo. (Department of State)

December 1992

Bosnian Serbs in December continued to obstruct convoys of the Office of the United Nations High Commissioner for Refugees (UNHCR) to eastern Bosnia, to shell the Mostar Road and to endanger UNHCR personnel in Sarajevo via snipers and mortar attacks. The Bosnian Serbs also impeded deliveries to Bihac and the oversight of relief in Banja Luka.

Bosnian Croats interfered with UNHCR convoys on the Mostar-Sarajevo Road: at first the Bosnian Croats told UNHCR that the road was unsafe and could not be used. When UNHCR insisted that they would deal with the risk of Serb shelling, they were allowed to proceed, but have since been subject to frequent check-points, diversions to difficult back roads, insults at check-points and shooting in the air.

Bosnian Muslims frequently have shot at UNHCR vehicles and personnel and harassed UNHCR personnel at Muslim-manned barricades.

A major impediment to humanitarian shipments to Bosnian Government-controlled areas in December was the military activity initiated by Muslim forces in the Bratunac area, which halted relief supplies for Srebrenica, and in the Rogatica area, which blocked a convoy destined for Gorazde.

Serbian guards outside Banja Luka continued to harass relief workers, waving around rifles and pistols and prohibited them from distributing food. (Department of State)

12 December

Serbian gunmen on 12 December stopped a Belgrade-to-Sarajevo humanitarian aid convoy at Han Pijesak and threatened to kill the relief workers. (Paris, Agence France Presse (AFP))

1 December

Small arms fire pierced the stabiliser of a United States C-130 during an approach into Sarajevo airport on 1 December, which resulted in the temporary suspension of the UNHCR airlift. At least five planes participating in the humanitarian airlift have been hit by small arms fire since 4 November. (Department of State)

Deliberate attacks on non-combatants

16 December

A gunman shot a French soldier with United Nations forces in Bosnia and Hersegovina on 16 December while he was on guard at Sarajevo airport. (Paris, AFP)

While traveling to Sarajevo in an armored and marked United Nations vehicle, Hans Stercken, Bundestag deputy and Chairman of the Foreign Affairs Committee, and a German embassy staff member were attached. The vehicle, which was driven by an Egyptian crew, was hit by several shots.

Stercken said the United Nations "could not have expressed more clearly" the identity of the vehicle; it was painted white and carried a United Nations sign. (Hamburg, German Press Agency (DPA))

6 December — A UNHCR representative's car in Prijedor was hit four times by bullets on 6 December. (Department of State)

5 December — A mortar round that hit Sarajevo's airport terminal on 5 December wounded two Portuguese police attached to the United Nations peace-keeping mission. The shelling of the airport continued throughout the day. (Reuters)

4 December — During a battle for Otes during the first week of December, two United Nations planes were shot at, the United Nations headquarters in Sarajevo was shelled and the radar at the airport, south-west of the capital, was destroyed by artillery fire. (Paris, AFP)

Wanton devastation and destruction of property

27 May — A 42-year-old Muslim described the Serbian attack on Kevljani on 26 May. The villagers fled to the woods, but after spending the night under heavy shelling, many women wanted to surrender. The witness and an imam led a group of women and children under a white flag to the school to surrender.

A Serbian officer nicknamed Cigo, who was the head of the tank regiment that attacked Kevljani, told the group the whole village had two hours to surrender. The witness said he surrendered to Cigo all the weapons the group had, in hopes that the village would be spared. The Serbian army, however, burned most houses to the ground. They sent all Muslims and Croatians in buses to Prijedor. (Department of State)

June — The Orthodox Bishop of Hersegovina testified publicly on 28 September that the regular army of the Republic of Croatia from the coast and Croatian armed forces from western Hersegovina from the beginning of June had destroyed the following property in his diocese:

(a) The Orthodox cathedral and Episcopal headquarters in Mostar, on 15 and 16 June;

(b) Churches in Bjelo Polje, Bobani plateau, Capljina, Dubrovnik, Duvno, Gabela, Metkovic, Stolac, Zacula and Zalanik;

(c) The Serbian villages of Brdjani, Zukici, Djepi (or Cepi), Blace, Vrdolje, Zagorice, Zivanje, Ljuta, Ovcari, Ribari, Sitnik, Donje Selo, Cerici, Bjelovcani, Celebici, Pokojiste, Obri, Nevizdraci, Idbor, Ostrozac, Dobrigosce, Paprasko, Repovac, Shunje, Hondici, Gnojnica, Buna, Hodbina and Pijesci;

(d) The fifteenth century Byzantine-style monastery at Zavala, the sixteenth century Byzantine-style monastery at Zitomislic and the Serbian villages of Tasovcic, Klepci and Prebilovci on the east bank of the Neretva River, where, on 7 and 8 June, the church with the bones of almost 2,000 Serbian people killed between 1941 and 1945 was burned down and plowed into the ground. (Orthodox Bishop of Hersegovina)

Other, including mass forcible expulsion and deportation of civilians

12 January 1993 — As many as 35,000 men, women and children risk death by illness and starvation in Zepa. Bosnian Serbs refuse to permit food, medicines and other supplies into the town. To this date, they are not allowing any United Nations humanitarian aid convoys into Zepa. (Department of State)

5 January — A social worker in a Medzarici nursing home, located in a Serb-held section of Sarajevo, said that 10 of his patients had died in the past 36 hours, and that 26 residents of the home had died in the past two weeks for lack of heating. He also said that snipers or direct hits on the building had caused the death of 20 to 25 residents since April 1992. According to a UNHCR official, the nursing home was without water, electricity or heating. Most utility services in Sarajevo (electricity, natural gas and water) are under Serbian control. (The Washington Post) (Associated Press) (Department of State)

December 1992 — Serbian "police" in United Nations protected areas Sector East during the first two weeks of December expelled 65 non-Serbs from Baranja, mostly from Darda, Bilje and Knezevi Vinogradi. Another 24 families were under heavy Serbian "police" pressure to leave Knezevi Vinogradi. (Department of State)

5 December — A Muslim man, who reported that only 3,000 Muslims remained in Sanski Most where 15,000 had lived, described recent attacks by armed Serbs:

> "They robbed us. They took the cars, the bicycles. The police now drive my personal car. They said if we did not give the cars, they would take us to the camps."

The man said that Serb militia forces continued to shell villages surrounding Sanski Most every night. (The Washington Post)

December — Members of the United Nations Protection Force (UNPROFOR) civil police escorted to Zadar the last six Croats from Zemunik Gornji, four elderly women and two older men. They said they had been living in a virtual prison and fled to save their lives. All Croatian homes in the area have been destroyed, except for two. (Department of State)

25 May — A 33-year-old Muslim from Prijedor watched Serbian forces bringing in heavy tanks and cannons to Kozarac on 25 May. Many villagers escaped to a nearby house in the woods, where they hid in a basement shelter. At noon, those in hiding organized the women, children and wounded in groups of 30, bearing white flags, to surrender to the Serbs. The Serbian army fired on some of the groups attempting to surrender.

The witness watched soldiers loot and burn houses, cars and whatever else they found. He saw Serbian tanks fire on private homes. The men eventually were separated from the women and children and taken to Trnopolje. (Department of State)

Notes

1/ United Nations Treaty Series, vol. 75, Nos. 970-973.